

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON**

DAMIAN C. STRICKLAND,

Plaintiff,

v.

META,

Defendant.

Case No. 3:22-cv-00520-YY

ORDER

IMMERGUT, District Judge.

On May 6, 2022, Magistrate Judge Youlee Yim You issued her Findings and Recommendation (“F&R”). ECF 9. The F&R recommends that this Court dismiss Plaintiff’s Complaint, ECF 2, without prejudice.¹ No party filed objections.

¹ On April 13, 2022, Judge You granted Plaintiff’s application to proceed in forma pauperis and ordered Plaintiff to show cause in writing by May 4, 2022, why this case should not be dismissed for failure to state a claim or, alternatively, to file an amended complaint curing the identified deficiencies. ECF 5. On May 4, 2022, instead of responding to the show cause order or filing an amended complaint, Plaintiff filed a “Motion for Pretrial Evidentiary Hearing.” ECF 8.

STANDARDS

Under the Federal Magistrates Act (“Act”), as amended, the court may “accept, reject, or modify, in whole or in part, the findings or recommendations made by the magistrate judge.” 28 U.S.C. § 636(b)(1)(C). If a party objects to a magistrate judge’s F&R, “the court shall make a de novo determination of those portions of the report or specified proposed findings or recommendations to which objection is made.” *Id.* But the court is not required to review, de novo or under any other standard, the factual or legal conclusions of the F&R to which no objections are addressed. *See Thomas v. Arn*, 474 U.S. 140, 149–50 (1985); *United States v. Reyna-Tapia*, 328 F.3d 1114, 1121 (9th Cir. 2003) (en banc). Nevertheless, the Act “does not preclude further review by the district judge, *sua sponte*” whether de novo or under another standard. *Thomas*, 474 U.S. at 154.

CONCLUSION

No party having filed objections, this Court has reviewed the F&R and accepts Judge You’s conclusions. The F&R, ECF 9, is adopted in full. This case is DISMISSED without prejudice.

IT IS SO ORDERED.

DATED this 6th day of June, 2022.

/s/ Karin J. Immergut
Karin J. Immergut
United States District Judge